

CIVIL RIGHTS COMMISSION

STATE OF HAWAII

WILLIAM D. HOSHIJO,)	DOCKET NO. 06-001-H-D
Executive Director, on behalf)	
of the complaint filed by DEL)	
M. SCOTTO)	'07 JUL 17 P1:51
)	
vs.)	
)	CIVIL RIGHTS COMMISSION
JANENE CARACAUS,)	HONOLULU
)	
Respondent.)	
)	
)	
)	

ORDER DENYING EXECUTIVE DIRECTOR'S MOTION FOR RECONSIDERATION

On July 2, 2007, the Executive Director filed a Motion for Reconsideration. On July 5, 2007, Respondent filed a response to the Motion.

After reviewing the motion, response, and pleadings in this case, the Commission does not find that the motion presents any facts or law to show that Final Decision is erroneous or should be reconsidered.¹ However, the Commission clarifies that in mixed motive cases where there are discriminatory and nondiscriminatory reasons for an adverse action, the Commission is not limited to granting declaratory and injunctive relief and has the discretion under HRS §§ 515-13 and 368-17 to award

¹Commissioners Leslie Ueoka and Mark G. Valencia participated in the motion. Chair Coral Wong Pietsch did not participate.

damages. The Motion is denied.

Dated: Honolulu, Hawaii. July 17, 2007.

A handwritten signature in cursive script, appearing to read "Sara Banks", written over a horizontal line.

SARA BANKS
ACTING CHAIR